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8 NVIDIA CORPORATION

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10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA

12 NATIONAL UNION FIRE INSURANCE  
13 COMPANY OF PITTSBURGH, PA,

14 Plaintiff,

15 vs.

16 NVIDIA CORPORATION,

17 Defendant.

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20 NVIDIA CORPORATION,

21 Counter-claimant,

22 vs.

23 NATIONAL UNION FIRE INSURANCE  
24 COMPANY OF PITTSBURGH, PA,

25 Counter-defendant.  
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Case No. C 09-2046 CW

Related Case No. 10-1812 CW

**STIPULATED REQUEST FOR ORDER  
CHANGING TIME PURSUANT TO CIVIL  
L.R. 6-2; [PROPOSED] ORDER - AS MODIFIED**

Judge: Hon. Claudia Wilken  
Courtroom: 2

Complaint Filed: May 8, 2009

Pursuant to Civil L.R. 6-2, the parties, through their undersigned counsel, submit the following stipulation and request an order changing time:

WHEREAS, the Court filed a Minute Order and Case Management Order on October 27, 2009 (the "October 27 Order"), which set the schedule for the above-captioned case as follows:

- 12/15/2009: ADR session deadline (private mediation)
- 09/10/2010: Completion of fact discovery
- 09/10/2010: Disclosure of identities and reports of expert witnesses
- 10/28/2010: Plaintiff to file opening brief re dispositive motion
- 10/29/2010: Completion of expert discovery
- 11/12/2010: Defendant's opposition and any cross-motion due
- 11/18/2010: Plaintiff's reply and opposition to cross-motion
- 11/29/2010: Defendant's reply to cross-motion
- 12/16/2010: All case-dispositive motions to be heard on or before 2 p.m.  
Further Case Management Conference
- 03/15/2011: Final Pretrial Conference
- 03/28/2011: 10-day jury trial to begin

WHEREAS, the parties completed the ADR session within the schedule set forth in the October 27 Order;

WHEREAS, the parties have engaged in fact discovery and are continuing to do so;

WHEREAS, neither Plaintiff nor Defendant expect to be able to complete fact discovery by the September 10, 2010 deadline;

WHEREAS, the parties believe and agree that they need approximately six months from September 10, 2010, to complete fact discovery, as they require additional written and document discovery and the taking of depositions;

WHEREAS, the parties have never before requested from this Court an extension of any deadline in this case;

THEREFORE, IT IS HEREBY STIPULATED THAT:

Subject to the Court's approval of this Stipulation, the schedule set forth in the October 27 Order shall be modified as follows:

- 03/10/2011: Completion of fact discovery
- 03/10/2011: Disclosure of identities and reports of expert witnesses
- 4/28/2011: Plaintiff to file opening brief re dispositive motion
- 4/29/2011: Completion of expert discovery
- 5/12/2011: Defendant's opposition and any cross-motion due
- 5/18/2011: Plaintiff's reply and opposition to cross-motion

- 5/30/2011: Defendant's reply to cross-motion
- 6/16/2011: All case-dispositive motions to be heard on or before 2 p.m.  
Further Case Management Conference
- 09/15/2011: Final Pretrial Conference
- 09/28/2011: 10-day jury trial to begin

Dated: June 15, 2010

BATES & CAREY LLP

By:   
Jennifer Bergstrom

Attorneys for Plaintiff and Counter-defendant  
NATIONAL UNION FIRE INSURANCE  
COMPANY OF PITTSBURGH, PA

Dated: June 15, 2010

FARELLA BRAUN + MARTEL LLP

By:   
Karen P. Kimmey

Attorneys for Defendant and Counter-claimant  
NVIDIA CORPORATION

PURSUANT TO STIPULATION, IT IS SO ORDERED., EXCEPT THAT PTC  
WILL BE 9/13 & TRIAL WILL BE 9/26/11.

Dated: 6/18/2010

  
JUDGE CLAUDIA WILKEN  
United States District Judge